

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Regulatory Agencies
State of Hawaii

MINUTES OF MEETING

Date: Thursday, November 30, 1972

Place: Board Room, Department of Regulatory Agencies
1010 Richards Street, Honolulu, Hawaii

Present: Douglas R. Sodetani, Chairman
Herbert S. Isonaga, Vice Chairman
Mrs. Mary Savio, Member
John D. Texeira, Member
Hiromu Yamanaka, Member
Ah Kau Young, Member

Ben Matsubara, Deputy Attorney General
Dick H. Okaji, Licensing Administrator
Yukio Higuchi, Executive Secretary
Mrs. Lydia Pai, Supervisor, Examination Branch
Mrs. Peggy Lau, Stenographer

Absent: Louis Cannelora

Call to Order: There being a quorum, Chairman Sodetani called the meeting to order at 9:35 a.m.

Informal RE-486 Francis Y. Wong
Conference:

At the request of the Commission, Francis Y. Wong appeared before the Commission to discuss the complaint filed against him by Mrs. Nora Walker. Francis Wong spoke on his own behalf and presented his documents in reference to the matter and gave his explanation as to what had transpired in the entire transaction. He also explained that he tried his very best to represent the complainant and he was apologetic about the entire matter.

After the question and answer period, Wong was advised that he will be notified soon after the Commission has rendered a final decision on this case; he was then excused.

Mary Savio moved and John Texeira seconded that:

1. this case be dismissed as there was no evidence of a deliberate attempt to fraud. Although there was no written evidence that Wong disclosed the fact that the buyer was his son, the DROA contract indicates that there was substantial evidence that Wong had orally indicated this fact.

2. Wong be written a letter advising him that all disclosures must be in writing.
3. that Norman Mau, principal broker for Francis Wong, be reprimanded for not supervising his sales staff properly; they should be instructed to make it known that they are licensees when making real estate transactions.

Motions were unanimously carried.

Minutes:

In reference to the October 26, 1972 minutes under "Licensing--Corporations", Hiromu Yamanaka raised a question on Bob Mueller Realty, Inc. Yamanaka was directed to have the Hilo investigator follow up as to where Robert Mueller's license is hung. Mueller has a broker's license, but appears to be working for some other real estate brokerage firm.

In reference to the Seventh-Day Adventist under "Correspondence: Letter from Mrs. Marjorie Bower" in last month's minutes, the motion that no special examination be given to the Seventh-Day Adventist was reconsidered.

The Executive Secretary reported that staff has checked with Educational Testing Service and ETS is willing to give a special examination to the Seventh-Day Adventist for extra cost within one week after the January 27, 1973 salesman examination.

Because it was earlier announced that the examination will be held on a weekday, then later changed to a Saturday, Mary Savio moved and Hiromu Yamanaka seconded that the Commission allow a special examination to be given to the Seventh-Day Adventist if:

1. the special examination is given within 5 days after the January 27, 1973 examination;
2. the Seventh-Day Adventist submits written confirmation from the clergyman stating that he is a Seventh-Day Adventist;
3. the Seventh-Day Adventist accept to pay the extra cost of \$35 to \$40 prorated among them (if only one candidate, that candidate must pay the extra cost.)

However, the Commission does not give any assurance that any exception will be made in the future for the Seventh-Day Adventist. Motions carried without dissent.

Ah Kau Young moved and John Texeira seconded that the Commission approve the minutes of the October 26, 1972 meeting as corrected. Motion carried unanimously.

Committee Reports:Education Task Force CommitteeAccreditation of Real Estate Schools and Certification of Instructors

Deferred to the Education Task Force Committee for action.

Real Estate Manual

While two copies of "MODERN REAL ESTATE PRACTICE" texts and its accompanying supplements were being circulated, Mary Savio reported that she has been communicating with the Real Estate Education Corporation of Chicago, Illinois. They will be willing to work with the Commission and put out a Hawaii supplement at no cost to the Commission if the Commission would put their manual on the recommended list of reading.

Ah Kau Young moved and John Texeira seconded that the Education Task Force Committee pursue this matter further with the accredited real estate schools, industry and Educational Testing Service so that the Commission may have some indication on how well the manual will be accepted. Motion unanimously carried.

Condominium Review Committee

In the absence of Committee Chairman Louis Cannelora, Mary Savio announced that the Condominium Review Committee held a second meeting on November 21, 1972 in the Board Room of the Honolulu Board of Realtors. They are still working on new proposals.

Attorney General's Report

Since the Attorney General was in court, this matter was deferred to the afternoon session.

Business Out of Minutes:Educational Testing Service

It was reported by the Executive Secretary that everything is going smoothly with Educational Testing Service for the January 1973 salesman examination. On November 16, 1972 the information sheet for examination was mailed to all candidates.

44th Annual Conference of NARELLO

The Executive Secretary reported that the memorandum prepared by Ah Kau Young and himself has not been signed by Edwin Honda and Dick Okaji. Copies to all members will be mailed when the memo has been signed.

Ah Kau Young announced that the NARELLO conference was well attended, meaningful and interesting as set forth in the memo. Yukio Higuchi and Ah Kau Young both thanked the Chairman for appointing them to attend the conference. The next conference will be held in Washington.

At the conference the Executive Secretary spoke with "Skip" Hanson of Nevada and Roy Hayes of Wisconsin about the law suit filed against the Commission, and they consented to send whatever material and information they have of this nature.

The Executive Secretary was directed to write to Hanson and Hayes to see that they follow through on their previous commitments to him.

Wailea Land Company Request

The Commission further studied the request of Wailea Land Company being allowed to circulate a preliminary prospectus approved by the Securities and Exchange Commission prior to registering their condominium project with the Commission.

In the concern of the consumer, the Commission was in agreement that the Executive Secretary write Wailea Land Company strongly discouraging their request, as it is the Commission's procedure not to allow the developer to advertise a condominium project prior to issuance of a Commission's public report.

Investigations: RE-471 Martin Da Mate

Upon motion, action on this case was again deferred as there has been no further progress.

RE-476 Arlene Ellis dba Real Estate Hawaii

Since there has been no reply from California, action on this complaint has been deferred. The Executive Secretary was directed to write a follow through letter to California.

RE-479 Masao Shintani

A hearing on this case has been scheduled for January 10, 1973 at 10:00 a.m., in the Board Room, Department of Regulatory Agencies. Hiromu Yamanaka and John Texeira are the hearing officers.

RE-492 Budget Realty, Ltd.

In a letter to the Commission, Attorney John Park states that the Commission would be failing to perform its duty under the law if it fails to proceed on the case of Budget Realty, Ltd., because of the pending litigation.

Real Estate One Corporation BR-1 - 95-121 Kam Hwy, Mililani Town
 Nadine Bartholomew BIC
 World-Marketing Hawaii Ltd. BR-1 - 2222 Kalakaua, Ste. 1505, Hon.
 Jack K. Matsuo BIC
 Anson O. Rego Realtor BR-1 - 525 Avocado Street, Wahiawa, Hawaii
 Anson O. Rego BIC
 Rudy Hirota Realty BR-4 - 2087 Wells Street, Wailuku, Maui, HI
 William I. Wilson BIC

Upon motion, the Commission unanimously approved the applications submitted for branch offices as tentatively approved by the Executive Secretary subject to verification of Anson O. Rego Realtor.

DBA

Gloria Atha, Real Estate - 94-233 Leonui, Waipahu, Hawaii
 Gloria Atha dba
 PTN Realty - 1477 Kapiolani, Honolulu, Hawaii
 Peter T. Namkoong dba
 Gateway Realty - 1127 11th Avenue, Suite 202, Honolulu
 Gladys F. Fredholm dba
 Esplanade Realtors - 407 Uluniu Street, Kailua, Hawaii
 Abigail L. Rose dba
 Ted Awana, Realtor - 2180 Main Street, Suite 407, Wailuku, Maui
 Theodore K. Awana dba
 Orchid Realty - 45-1048 Kam Highway, Room 203, Kaneohe, Hawaii
 Marilyn C. Lowther dba
 Barth Gilcrist, Realtor - 1765 Ala Moana, Suite 782, Honolulu
 Barth Gilcrist dba

It was moved by Mary Savio and seconded by Ah Kau Young that the Commission approve the licensing processing of the above as tentatively approved by the Executive Secretary. Motion so carried.

Questionable Applications:

Applications for Real Estate Salesman Examination

The Executive Secretary was directed to discuss all questionable applications with Herbert Isonaga at a later date.

Application for Real Estate Broker License

Lois Eileen Hunter

Lois Hunter has requested a waiver from the experience requirement for the brokers examination. The Executive Secretary was directed to write Lois Hunter requesting her to define her 2 years experience in hours -- Commission will not act upon her application until substantial proof and documents are submitted.

Executive Session:

The Commission went into an executive session with the Deputy Attorney General to discuss the class suit filed against the Director of Regulatory Agencies and the members of the Commission. The executive session was adjourned at 2:15 p.m.

Miscellaneous: Brewer Support Housing in Ka'u, Island of Hawaii

Vic Olson, vice president of Hawaiiana Realty and Management, Inc. has made a written request that the Commission waive the requirement of establishing a branch office to handle the sales of C. Brewer and Company, Ltd.'s homes to employees of C. Brewer or related companies and resort hotel or sugar companies. Olson further requested that the Commission allow a licensed salesman from their office in Honolulu to be allowed to handle all sales at the project site office without designating a broker-in-charge at the project site.

Herbert Isonaga moved and Ah Kau Young seconded that the Commission deny the requests. Motion carried.

Education Credit Through Correspondence Course

In a letter to the Commission, Robert Carlson mentions his intentions of taking a correspondence course in real estate law to qualify for the real estate broker examination.

The Commission was in agreement to have the Executive Secretary reply to Carlson that the experience and education requirement for one taking a correspondence course in real estate will be waived if the college is accredited and if they give him semester credits toward a degree.

1972 Legislation

The Executive Secretary reported that the amendment to Chapter 467 has been drafted and is being processed for submittal as an administrative bill.

The Licensing Administrator appeared before the Commission to inform the Commission that he will be drafting the proposed legislation bill to increase fees. He advised that the draft of the bill may not follow the proposed fee increase as outlined by the Chairman.

Correspondence: Letter from J. F. Schweidler, President of NARELLO

J. F. Schweidler, the new president of NARELLO, has made written request that interested Commission members volunteer to serve on various standing committees and to express any comments, ideas or suggestions on improving NARELLO.

Announcements: Results of October 1972 Real Estate Brokers Examination

Copies of the list of successful candidates of the October 1972 real estate brokers examination were circulated.

To insure that there will be no mistakes in calculations, Lydia Pai, Supervisor of Examination Branch, was requested to review all examination papers of applicants that failed by two points. Staff was directed to mail out results right away.

Hiromu Yamanaka moved and Mary Savio seconded that the Commission accept the results of the October 1972 examination subject to staff review of those who have failed by two points. Motion was unanimously carried.

Date of

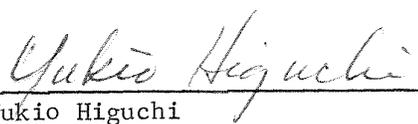
Next Meeting:

Thursday, January 4, 1973 at 9:30 a.m.

Adjournment:

There being no further business, the meeting was adjourned at 4:15 p.m.

Recorded by



Yukio Higuchi
Executive Secretary

YH:pl

12/26/72